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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Applicant: Wayne Parrott et al.

Examiner: Mehta, Ashwin D.

Serial No.: 10/802,208

Art Unit: 1638

Filed: 3/8/2001

Confirmation No. 6703

For: ARABITOL OR RIBITOL AS
POSITIVE SELECTABLE MARKERS

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

MAIL STOP ISSUE FEE

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT UNDER 37 CFR
1.181 (NO FEE REQUIRED)**

Sir:

Applicants request that the Notice of Abandonment mailed 1/20/2005 (copy enclosed) be withdrawn. Applicants filed a timely response to the Notice Regarding Drawings dated October 15, 2004. A copy of applicants' response and a copy of our date-stamped return receipt postcard is enclosed. Please withdraw the Notice of Abandonment and provide applicants with their patent number and issue date.

Respectfully submitted

Timothy H. Van Dyke
Reg. No. 43,218
Beusse, Brownlee, Wolter Mora & Maire, P.A.
390 N. Orange Avenue, Suite 2500
Orlando, FL 32801
(407) 926-7726

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FEB 15 2005

CERTIFICATE OF MAILING

I hereby certify that this PETITION TO WITHDRAW NOTICE OF ABANDONMENT UNDER 37 CFR 1.181 (NO FEE REQUIRED) paper is being deposited with the United States Postal Service with first-class postage affixed thereto on the date indicated below and is addressed to: Mail Stop Issue Fee, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

Alicia Hoffman
Name of person mailing paper



Signature

2/1/05
Date



Please acknowledge receipt of our RESPONSE TO
NOTICE REGARDING DRAWINGS, attached copy of
the notice dated 10/15/2004, and the attached 2 sheets
of corrected drawings in re application of:

Wayne Parrott et al.

Serial No. 10/802,208

Filed: 3/8/2001

For: Arabitol or Ribitol as Positive Selectable Markers

Due: 12/25/2005

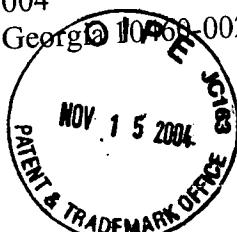
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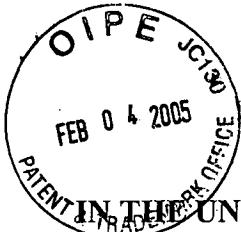
TVD Univ. of Georgia 10468-002



11-15-2004

U.S. Patent & TMOfc/TM Mail Rcpt Dt. #11





UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Allowed Feb. 27, 2004

Applicant: Wayne Parrott et al.

Examiner: Mehta, Ashwin D.

Serial No.: 10/802,208

Art Unit: 1638

Filed: 3/8/2001

Confirmation No. 6703

For: ARABITOL OR RIBITOL AS
POSITIVE SELECTABLE MARKERS

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Mail Stop: Issue Fee

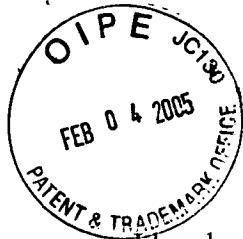
RESPONSE TO NOTICE REGARDING DRAWINGS

Sir:

In response to the Notice Regarding Drawings mailed October 15, 2004, (copy attached) in the application identified above, enclosed are corrected drawings. These substitute drawings correct the informalities noted in PTO Form 948. No new matter has been added.

Respectfully submitted

Timothy H. Van Dyke
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Beusse, Brownlee, Wolter Mora & Maire, P.A.
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Orlando, FL 32801
(407) 926-7726

**CERTIFICATE OF MAILING**

I hereby certify that this Response To Notice Regarding Drawings is being deposited with the United States Postal Service with first-class postage affixed thereto on the date indicated below and is addressed to: Commissioner for Patents, Mail Stop Issue Fee, P. O. Box 1450, Alexandria, VA 22313-1450.

Alicia Hoffman
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11-4-04
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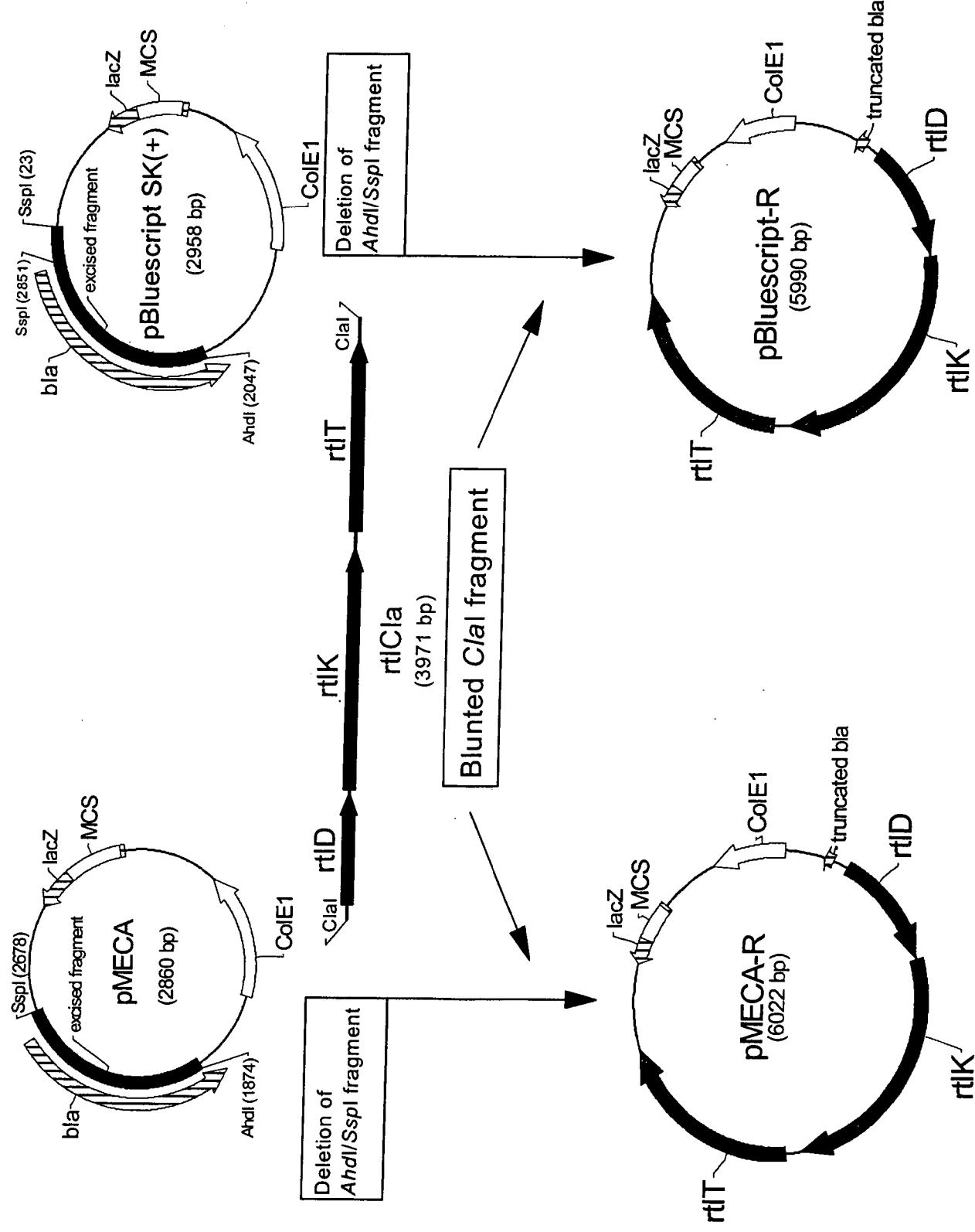
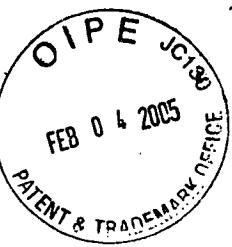
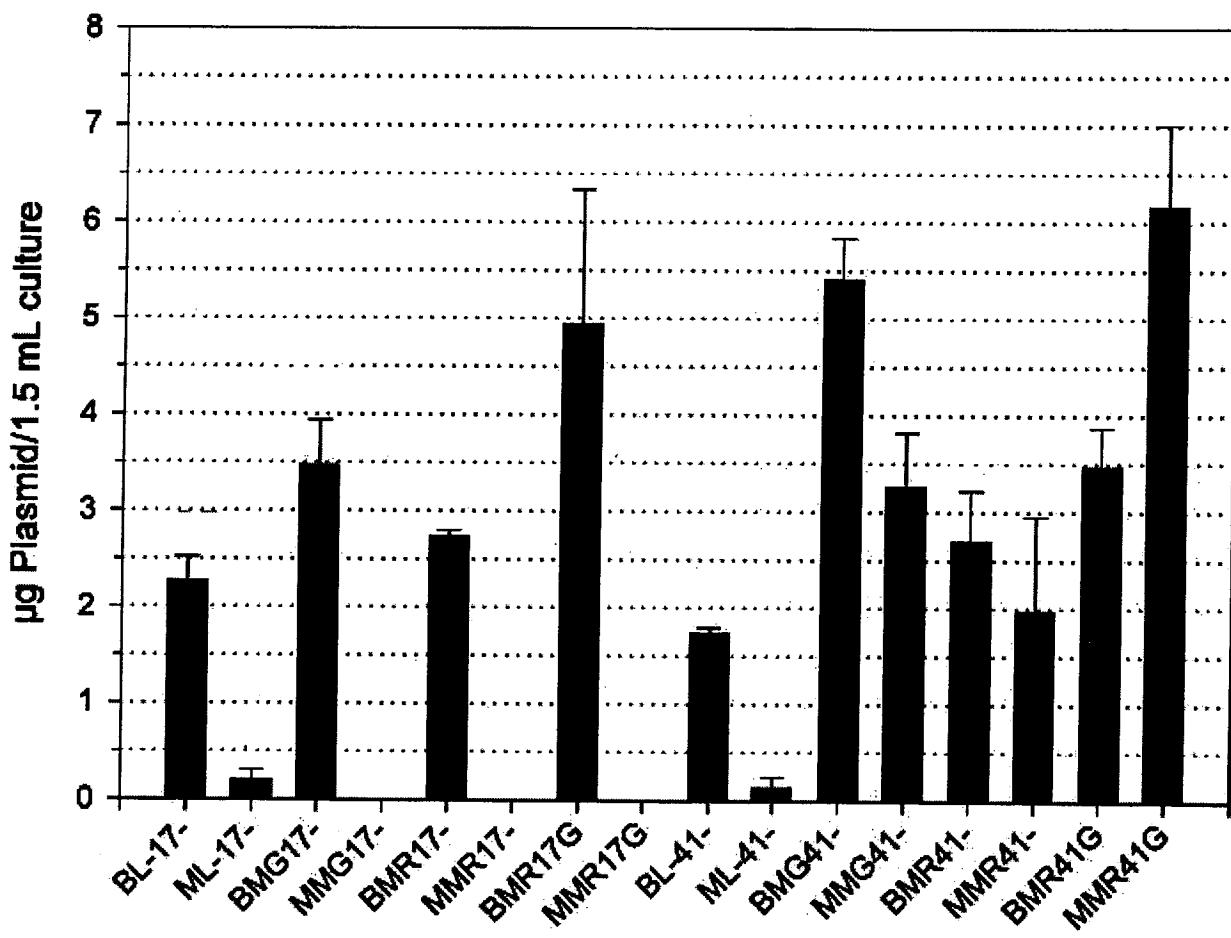


Figure 1

Figure 2. Comparative plasmid yields in DH10B of pBluescript and pMECA, growing in LB broth or 2B minimal medium supplemented with glucose, and of their ribitol derivatives growing on 2B minimal medium with ribitol. Plasmid yield data were collected at 17 and 41 hours. Plasmid yields for pBluescript-R and pMECA-R with a GUS construct cloned into their multiple cloning sites were also compared. Bars represent the average of three replications \pm standard error.



Legend: The first letter signifies the plasmid backbone: B = pBluescript, M = pMECA. The second letter indicates the medium: L = Luria-Bertani broth, M = 2B minimal medium. The third position denotes the carbohydrate source: a '-' means no additional carbohydrate, G = glucose, and R = ribitol. The number is for the amount of growth time: 17 or 41 hours. The final position denotes if the plasmid had an insert cloned into its multiple cloning site: a '-' means no insert, and G refers to a GUS construct.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/802,208	03/08/2001	Wayne Parrott	UGA-855R	6703
29847	7590	01/20/2005	EXAMINER [REDACTED]	MEHTA, ASHWIN D
BEUSSE BROWNLEE WOLTER MORA & MAIRE 390 N. ORANGE AVENUE SUITE 2500 ORLANDO, FL 32801			ART UNIT [REDACTED]	PAPER NUMBER 1638
DATE MAILED: 01/20/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
09/802,208		EXAMINER	
		ART UNIT	PAPER NUMBER

DATE MAILED:

NOTICE OF ABANDONMENT

This application is abandoned in view of:

- Applicant's failure to timely file a proper reply to the Office letter mailed on 10/15/4.
- A reply (with Certificate of Mailing or Transmission of _____) was received on _____ which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
- A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 to the final rejection.
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
- A reply was received on _____, but it does not constitute a proper reply, or a *bona fide* attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in the last box below).
- No reply has been received.
- Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85)(or Notice of Publication Fee Due).
- The submitted fee of \$ _____ is insufficient. A balance of \$ _____ is due.
The issue fee by 37 CFR 1.18 is \$ _____. The publication fee, if required, by 37 CFR 1.18(d) is \$ _____.
- The issue fee and publication fee, if applicable, have not been received.
- Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTOL-37).
 Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
- No corrected drawings have been received.
- The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all the applicants.
- The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon filing of a continuing application.
- The decision by the Board of Patent Appeals and Interferences rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
- The reason(s) below:
Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

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